



Entered on Docket
September 27, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

Robert M. Charles, Jr. (NV 6593)
John Hinderaker (AZ 018024)
Marvin Ruth (NV 10979)
3993 Howard Hughes Parkway, Ste. 600
Las Vegas, Nevada 89169-5996
Telephone (702) 949-8320
Facsimile (702) 949-8321
Email: rcharles@lrlaw.com
jhinderaker@lrlaw.com
mruth@lrlaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Fourth Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based In Part Upon Investment In
The Brookmere Matteson Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m.

The Court having considered the "Fourth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Brookmere Matteson Loan," ("Brookmere Matteson Loan") [DE 8657] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that

1 the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right
2 to repayment by the borrower or from the collateral securing the Brookmere Matteson
3 Loan; and good cause appearing:

4 **IT IS ORDERED** that:

- 5 1. The Objection [DE 8657] is sustained; and
6 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
7 claims are based upon an investment in the Brookmere Matteson Loan.

8
9 PREPARED AND RESPECTFULLY SUBMITTED BY:

10 **LEWIS AND ROCA LLP**

11
12 By /s/ John Hinderaker (AZ #018024)

13 Robert M. Charles, Jr.
14 John Hinderaker (*pro hac vice*)
15 3993 Howard Hughes Parkway, Ste. 600
16 Las Vegas, Nevada 89169-5996
Telephone: (702) 949-8320
Facsimile: (702) 949-8321

17 *Attorneys for USACM Liquidating Trust*
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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).
XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
 LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
 Attorneys for USACM Liquidating Trust

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USACIVIL TRUST
Brookmere/Matteson
Multiple Loan Claims

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Brookmere/Matteson \$27,050,000 Loan
10725-01408	12/4/2006	Alexander Ind & As Trustees, Stanley & Florence	P.O. Box 95144 Longwood, FL 32779	400,000.00	37,500.00
10725-01177	11/10/2006	Arthur E & Thelma Kebble Family Trust Dtd 5/19/95	C/O Arthur E & Thelma M Kebble Ttees 9512 Salem Hills Ct Las Vegas, NV 89134-7883	327,563.97	6,639.45
10725-01445	11/14/2006	Brehmer, Hannah	188 Beacon Hill Dr Ashland, OR 97520	298,569.00	8,569.36
10725-02017	1/12/2007	Canepa Ira, Louis J	C/O Laurel E Davis Lionel Sawyer & Collins 300 South Fourth St STE 1 Las Vegas NV 89101	Unknown	Unknown
10725-01407	11/13/2006	Cardwell Charitable Trust	C/O Michael J Dawson Esq 515 South Third St Las Vegas, NV 89101	1,549,493.61	24,483.61
10725-01401	11/13/2006	Cardwell Family Trust	C/O Michael J Dawson Esq 515 South Third St Las Vegas, NV 89101	3,226,795.82	150,000.00
10725-01218	11/10/2006	Cohen Living Trust Dtd 3/6/90	c/o Nelson Cohen, Esq. 7670 W. Lakemead Boulevard Suite 225 Las Vegas, NV 89128	404,317.00	49,317.00
10725-02038	1/11/2007	Collins Family Trust Dated 1/29/93	C/O Shirley M Collins Trustee 1975 Snowberry Ct Carlsbad, CA 92009-8408	1,760,380.48	8,569.26
10725-02030	1/11/2007	Daniel D Newman Trust Dtd 11/1/92	C/O Daniel D Newman Trustee 125 Elysian Dr Sedona, AZ 86336	1,428,037.34	15,914.35
10725-02045	1/11/2007	Dar Living Trust Dtd 2/12/03	Darlene Hammond Ttee 308 La Rue Ct Las Vegas, NV 89145	329,377.00	12,241.81

EXHIBIT A